

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

JANE DOE,  
*Next Friend of Minor Doe,*  
*A Minor,*

*Plaintiff,*

v.

JAMES BAILEY, et al.,

*Defendants.*

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CASE NO. 22-11818

DISTRICT JUDGE THOMAS L. LUDINGTON  
MAGISTRATE JUDGE PATRICIA T. MORRIS

**ORDER DENYING DEFENDANT’S MOTION TO COMPEL (ECF No. 33)**

Defendants filed a Motion to Compel (ECF No. 33) and oral argument was held on March 15, 2023. For the reasons further stated on the record, the motion is DENIED based on an agreement by both parties that was reached on the record.

Pursuant to the agreement, Plaintiff has stipulated that she: (1) will not seek emotional distress damages that exceed garden variety damages; (2) will not be offering expert testimony from any psychiatrist, psychologist or therapist; (3) will not offer evidence in the form of medical or psychological records that tends to show anything beyond short term anxiety/depression/emotional distress, i.e. will limit the record evidence to garden variety damages; and (4) will not offer evidence in the form of witness testimony that tends to show anything beyond short term anxiety/depression/emotional distress, i.e. will limit the testimonial evidence to garden variety damages.

**IT IS ORDERED.**

Date: April 18, 2023

S/ PATRICIA T. MORRIS

Patricia T. Morris

United States Magistrate Judge